

ESSB 5768 - H AMD TO TR COMM AMD (H-3051.1/09) **786**

By Representative Klippert

NOT ADOPTED 4/22/2009

1 On page 1, line 24 of the striking amendment, after "structure."
2 strike "The" and insert "Subject to section 2 of this act, the"

3
4 On page 2, line 1, after "(2)", strike "The" and insert "Subject
5 to section 2 of this act, the"

6
7 On page 2, beginning on line 13, strike all material through
8 "county." on page 3, line 5

9
10 On page 3, beginning on line 6, strike all of section 2 and insert
11 the following:

12 "NEW SECTION. Sec. 2. A new section is added to chapter
13 47.01 RCW to read as follows:

14 (1) Prior to beginning any work related to construction of the
15 deep bore tunnel or removal of the existing viaduct, the department of
16 transportation must prepare a traffic and revenue study for a state
17 route number 99 deep bore tunnel for the purpose of determining the
18 facility's potential to generate toll revenue. The department shall
19 regularly report to the transportation commission regarding the
20 progress of the study for the purpose of guiding the commission's toll
21 setting on the facility. The study must include the following
22 information:

23 (a) An analysis of the potential diversion from state route number
24 99 to other parts of the transportation system resulting from tolls on
25 the facility;

26 (b) An analysis of potential mitigation measures to offset or
27 reduce diversion from state route number 99;

1 (c) A summary of the amount of revenue generated from tolling the
2 deep bore tunnel; and

3 (d) An analysis of the impact of tolls on the performance of the
4 facility.

5 (2) The department must provide the results of the study described
6 in subsection (1) of this section to the governor and the legislature
7 by January 2010. If the results of the study conclude that toll
8 revenues are unlikely to generate at least four hundred million
9 dollars, as provided in section 1 of this act, the state shall
10 retrofit the existing viaduct structure as the preferred alternative
11 design, at a cost not to exceed one billion three hundred million
12 dollars in state funding, and may not construct a deep bored tunnel or
13 any other facility related to the Alaskan Way viaduct replacement
14 project.

15
16 NEW SECTION. Sec. 3. A new section is added to chapter 47.01 RCW
17 to read as follows:

18 If the state retrofits the existing viaduct structure pursuant to
19 section 2 of this act, the department shall retain one billion one
20 hundred million dollars of the state's contribution to the Alaskan Way
21 viaduct replacement project in the transportation partnership account
22 for use on state highway safety and congestion relief projects
23 identified by the legislature."

24
25 On page 3, beginning on line 24, strike all of section 3
26
27

EFFECT:

- Strikes the following provisions establishing that: the Department of Transportation must provide updates cost estimates for the project; any contract entered into by the Department related to construction of the tunnel must include incentives and penalties to encourage on-time completion and to minimize potential cost overruns; the state, city, and county Department of Transportation must establish a single point of accountability for the project; the state, city, and

county Departments of Transportation are responsible for costs, delivery, and risks related to their respective project components; and the state's contribution of \$50 million for the South Spokane Street viaduct project is contingent on the city of Seattle funding and providing certain city street improvements.

- Modifies the requirement that the Department of Transportation prepare a traffic and tolling revenue study for the tunnel by providing that no work may begin on building a deep bore tunnel or removing the existing viaduct structure until the study has been completed.
- Establishes that if the traffic and revenue study concludes that toll revenues are unlikely to generate at least \$400 million, the state must retrofit the existing viaduct structure at a cost not to exceed \$1.3 billion and may not build a deep bore tunnel or other facility to replace the viaduct.
- Provides that if the state retrofits the existing viaduct structure, the Department must retain \$1.1 billion of the state's contribution to the viaduct replacement project in the Transportation Partnership Account for use on state highway safety and congestion relief projects identified by the legislature.

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